

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

JANE DOE,

Plaintiff,

v.

UNIVERSITY OF MICHIGAN, et al.,

Defendants.

Case No: 21-CV-12492

Hon. Shalina D. Kumar
Magistrate Judge Elizabeth A. Stafford

Keith Altman (P81702)
The Law Office of Keith Altman
33228 West 12 Mile Road - Suite 375
Farmington Hills, MI 48334
(516) 456-5885
keithaltman@kaltmanlaw.com
Attorney for Plaintiff

Thomas L. Kent (P55863)
THE UNIVERSITY OF MICHIGAN
OFFICE OF THE VICE PRESIDENT &
GENERAL COUNSEL
1109 Geddes Avenue
Ruthven Building, Suite 2300
Ann Arbor, MI 48109-1079
(734) 764-0304
tomkent@umich.edu
Attorneys for Defendants

DEFENDANTS' NOTICE OF SUPPLEMENTAL AUTHORITY

Since Defendants' initial filing of their Motion to Dismiss on March 10, 2022, two cases have been decided by the Sixth Circuit:

1. *Arocho v. Ohio Univ.*, No. 20-4239, 2022 WL 819734 (6th Cir. Mar. 18, 2022)¹ (attached as *Exhibit A*); and
2. *Snyder-Hill v. Ohio State Univ.*, 48 F.4th 686 (6th Cir. 2022) (attached as *Exhibit B*).

Both cases address issues before this Court on Defendants' pending motion; namely standing and, in the case of *Snyder-Hill*, the accrual date for a Title IX cause of action. As

¹ In its primary brief, Defendants cited the *Arocho* U.S. District Court opinion, which was affirmed on appeal.

Defendants have already filed a reply brief, they will not provide further argument herein other than to state that, because of the factual similarities and differences between the present case and those above, this Court should be guided by the reasoning and analysis of *Arocho*. Defendants welcome further briefing opportunities on the application of this authority.

Respectfully submitted,

THE UNIVERSITY OF MICHIGAN
OFFICE OF THE VICE PRESIDENT
& GENERAL COUNSEL

By: /s/ Thomas L. Kent
Thomas L. Kent (P55863)
1109 Geddes Avenue
Ruthven Building, Suite 2300
Ann Arbor, MI 48109-1079
(734) 764-0304
tomkent@umich.edu
Attorneys for Defendants

Dated: October 10, 2022

CERTIFICATE OF SERVICE

STATE OF MICHIGAN)
) ss
COUNTY OF WASHTENAW)

I hereby certify that on October 10, 2022, I electronically filed *Defendants' Notice of Supplemental Authority* with the Clerk of the Court using the ECF System.

By: /s/ Jennifer L. Traver
Jennifer L. Traver
Legal Assistant